

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

**UNITED STATES OF AMERICA,**  
Plaintiff,  
v.

CRIMINAL NO. 12-cr-20043  
HON. LAWRENCE ZATKOFF

**D-1 ARTHUR PAYTON,**  
Defendant.

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**OPINION AND ORDER**

Defendant is currently represented by Sanford Plotkin, his third attorney in this case. One of Defendant's prior attorneys filed two motions on his behalf: (1) Motion for Notice of Intent to Use FRE 404B Evidence (Docket #33), and (2) Motion for Early Disclosure of Exculpatory and Impeaching Evidence and Other Relevant Material (Docket #34). Both motions were fully briefed.

The Court recently queried Mr. Plotkin about the need to address the motions. Mr. Plotkin represented to the Court that the issues raised in both motions are now moot. Accordingly, the Court hereby DENIES AS MOOT the following two motions previously filed on behalf of Defendant:

- (1) Motion for Notice of Intent to Use FRE 404B Evidence (Docket #33), and
- (2) Motion for Early Disclosure of Exculpatory and Impeaching Evidence and Other Relevant Material (Docket #34).

IT IS SO ORDERED.

S/Lawrence P. Zatkoff  
LAWRENCE P. ZATKOFF  
UNITED STATES DISTRICT JUDGE

Dated: October 17, 2012